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9 **UNITED STATES DISTRICT COURT**

10 EASTERN DISTRICT OF CALIFORNIA

11 JOEL SWANBOM, et al.,

12 Plaintiffs,

13 v.

14 TRAVELERS COMMERCIAL INSURANCE
15 COMPANY,

16 Defendant.

Case No. 1:24-cv-00171-KES-SAB

ORDER VACATING SEPTEMBER 3, 2025
HEARING ON DEFENDANT'S MOTION
TO DISMISS

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18 Defendant Travelers Commercial Insurance Company filed a motion to dismiss the
19 operative complaint on July 25, 2025 and set the hearing for September 3, 2025. (ECF No. 33.)
20 Plaintiffs' opposition to the motion to dismiss was due on August 8, 2025. L.R. 230(c).
21 Plaintiffs failed to file an opposition by the deadline.

22 A party who fails to file a timely opposition is not entitled to be heard in opposition to the
23 motion at oral argument and the failure to file a timely opposition may be construed as a non-
24 opposition to the motion. L.R. 230(c).

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1 Accordingly, IT IS HEREBY ORDERED that the hearing set for September 3, 2025, is
2 VACATED, Defendant's motion to dismiss is taken under submission, and the Court shall issue
3 findings and recommendations in due course.

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5 IT IS SO ORDERED.

6 Dated: August 12, 2025



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10 STANLEY A. BOONE
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12 United States Magistrate Judge
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